

# ORIGINAL

1  
2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK

4 TAMIKO GARRIS-RIVERS,

5 PLAINTIFF,

6 -against-

Case No.:  
13CV9034

7 THE CITY OF NEW YORK, ET AL,

8 DEFENDANTS.

9  
10 DATE: October 27, 2014

11 TIME: 10:17 A.M.

12  
13  
14 DEPOSITION of the Defendant,

15 MATTHEW JOHN REILLY, taken by the  
16 Plaintiff, pursuant to a Court Order and to  
17 the Federal Rules of Civil Procedure, held  
18 at the offices of Diamond Reporting, Inc.,  
19 1001 Avenue of the Americas, New York, New  
20 York 10018, before BREINDY LOWENSTEIN, a  
21 Notary Public of the State of New York.  
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A P P E A R A N C E S:

STECKLOW, COHEN & THOMPSON, ESQS.  
Attorneys for the Plaintiff  
TAMIKO GARRIS-RIVERS  
217 Centre Street  
New York, New York 10013  
BY: DAVID THOMPSON, ESQ.

BEE READY FISHBEIN HATTER & DONOVAN, LLP  
Attorneys for the Defendants  
THE CITY OF NEW YORK, ET AL  
170 Old Country Road  
Mineola, New York 11501  
BY: ANDREW K. PRESTON, ESQ.

\* \* \*

1 M. J. REILLY

2 Q. Looking at the second page of  
3 the memo there is a signature. Can you  
4 identify the signature?

5 A. That's my signature, sir.

6 Q. Is there any part of this  
7 memorandum that you didn't write?

8 A. No, sir.

9 Q. When was this written?

10 A. May 12, 2013.

11 Q. The date that appears on it?

12 A. Yes.

13 Q. What was the purpose of writing  
14 the memo?

15 A. I was asked to do so because  
16 there had been an investigation into the  
17 arrest.

18 Q. What was the nature of the  
19 investigation into the arrest?

20 A. There had been a civil  
21 complaint to the nature of the arrest.

22 Q. This kind of memorandum is not  
23 something you normally write after every  
24 arrest?

25 A. No, sir.

1 M. J. REILLY

2 Q. Do you know who conducted the  
3 investigation?

4 A. I do not, sir.

5 Q. Does your office normally  
6 conduct the investigation?

7 A. Internal Affairs generally.

8 Q. Other than writing this memo,  
9 did you do anything else with respect to  
10 that investigation?

11 A. No, sir.

12 Q. Were you asked to do anything  
13 else?

14 A. Not that I recall, sir.

15 Q. Do you know what the outcome of  
16 the investigation was?

17 A. I do not know, sir.

18 Q. Are there video surveillance of  
19 the platform at Jamaica Station?

20 A. Yes, there is.

21 Q. What kind of video surveillance  
22 is it?

23 A. Multiple cameras on every  
24 platform throughout the station.

25 Q. Do these cameras record video

1 M. J. REILLY

2 or something else?

3 A. They record video I believe so.

4 Q. Where is the location where the  
5 recording video is first received?

6 A. It's in the Port Authority  
7 building which we are located in. It's  
8 under control of Port Authority I believe.

9 Q. The Port Authority building,  
10 are you referring to Jamaica Station?

11 A. Yes.

12 Q. Is it part of the station or --

13 A. Airtrain building.

14 Q. Do you happen to know if the  
15 system uses tapes or hard drives?

16 A. I don't know, sir.

17 Q. If you wanted to get copies of  
18 the video that had been taken at a certain  
19 time or place at any station, what would  
20 you do?

21 A. You would have to go upstairs  
22 and request a copy of that to be made.

23 Q. To go upstairs, is there a  
24 particular office you are referring to?

25 A. I believe on the seventh floor.

1 M. J. REILLY

2 Q. Do you know the name of that  
3 office?

4 A. I do not know the name of the  
5 office.

6 Q. Have you ever done this, made a  
7 request like that?

8 A. Not myself, no.

9 Q. Is that something that police  
10 officers from the district sometimes have  
11 occasion to do?

12 A. Supervisors I have seen do it,  
13 yes.

14 Q. For what purpose?

15 A. When cases are going through  
16 investigation.

17 Q. Do you know how long the video  
18 is retained?

19 A. I don't know.

20 MR. THOMPSON: We will need an  
21 affidavit for the video.

22 MR. PRESTON: Take it under  
23 advisement.

24 MR. THOMPSON: Mark this,  
25 please.